

## **Pre-Decisional Draft – Web Version**

### **U.S. Customs and Border Protection**

#### **Advisory Committee on Commercial Operations to U.S. Customs and Border Protection (COAC) Statement of Work for the Subcommittee on Trade Enforcement**

##### **1. Background:**

At the April 24, 2015, COAC meeting, the first quarterly meeting of the 14<sup>th</sup> Term Commercial Operations Advisory Committee (COAC), it was decided that topics from the 13<sup>th</sup> Term Trade Enforcement subcommittee would continue to be worked on in the 14<sup>th</sup> Term, including Intellectual Property Rights, Bonds, and AD/CVD. The subcommittee objectives and scope are consistent with the official charter of the Advisory Committee on Commercial Operations to U.S. Customs and Border Protection (COAC).

It is understood that COAC Subcommittees may not come to final conclusions and/or take action independently of the chartered committee and must report their recommendations and advice to the COAC for their deliberation and discussion. This Subcommittee does not have authority to make decisions on behalf of the full COAC and may not advise or report directly to any Federal Officer or Agency. In accordance with the Federal Advisory Committee Act (FACA) and FACA Management Regulation record keeping requirements, all Subcommittee minutes and work products shall be available to the COAC and the COAC Co-Chairs.

##### **2. Objectives and Scope of Activities:**

After engaging in full deliberation and discussion, the Subcommittee shall advise the COAC of any advice or recommendations related to Trade Enforcement. The objectives for the Subcommittee are to generate advice and develop recommendations pertaining to improving enforcement of the trade laws of the United States and the collection of duties and fees, a responsibility that has been part of our nation's history since the founding of the U.S. Customs Service more than 200 years ago and a responsibility that remains critical to our nation's economic prosperity.

Enforcing U.S. trade laws adds not only to the security of the global supply chain and our nation, but expedites products into the marketplace. Identifying and expediting compliant trade by enforcing our trade laws adds to both our national security and facilitation efforts. With compliant trade identified and appropriate fees and duties assessed, CBP can then focus its limited resources on non-compliant and higher risk commerce.

It is expected that, during the lifespan of this Subcommittee, the focus will be on providing advice and recommendations that cover, but will not be limited to, the following areas:

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- Intellectual Property Rights
- Anti-Dumping and Countervailing Duties
- CEE Trade Enforcement role and performance
- Identifying meaningful Trade Enforcement metrics
- Bonds

The COAC Subcommittee on Trade Enforcement will advise the COAC in these areas and will make recommendations that are helpful to industry and Government, will be supported by a broad range of stakeholders, and will incorporate the views and address the concerns of industries impacted by the projects.

### **3. CBP Office Responsible for Providing Necessary Support:**

The U.S. Customs and Border Protection's Office of Trade Relations (OTR) shall be responsible for providing administrative support to the COAC Trade Enforcement Subcommittee.

### **4. Role of Designated Federal Officer:**

The CBP Designated Federal Officer (DFO) or his/her designee shall approve or call COAC Subcommittee meetings, approve Subcommittee agendas, and attend all Subcommittee meetings.

### **5. Member Composition:**

The Subcommittee will be comprised of COAC members and Federal government officials. The Trade Enforcement Subcommittee will be led by at least one government and one trade co-chair. Each Subcommittee will have designated Working Groups to address specific taskings. If needed, additional non-government, non-COAC member participants with specific expertise may be sought to help with Working Groups taskings, subject to the approval of the DFO in consultation with the COAC Subcommittee Co-Chairs. Working Groups will have pre-determined sunset dates, and will provide recommendations to the Subcommittee.

#### **COAC Trade Co-chairs:**

Kevin Pinel,  
Lisa Gelsomino

#### **Government Co-chair:**

Cynthia Whittenburg, Executive Director, Trade Policy & Programs, Office of International Trade, CBP

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### **6. Subcommittee Duration:**

The Subcommittee Statement of Work and membership composition will be at least evaluated on a term-by-term basis and will continue at the discretion of the COAC and Government Co-Chairs.

April 17, 2015